

# Notice of Allowability

Application No.

09/900,569

Examiner

Shahid Al Alam

Applicant(s)

OGINO ET AL.

Art Unit

2162

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to telephon interview on April 24, 2006.
2. ☒ The allowed claim(s) is/are 77-87 and 89-94.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
SHAHID ALAM  
PRIMARY EXAMINER

### **DETAILED ACTION**

In view of the Appeal Brief filed on 18 January 2006, PROSECUTION IS  
HEREBY REOPENED.

After an Appeal Conference, Conferees decided to withdraw the Finality of the  
last Office action and therefore, the finality of that action is withdrawn.

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes  
and/or additions be unacceptable to applicant, an amendment may be filed as provided  
by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be  
submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview  
with Moonray Kojima on 24 April 2006.

The application has been amended as follows:

#### **In the claim:**

Please replace claim 94 as submitted on 10 June 2005 with amended and  
clean version of claim 94 as follow:

94. A medical image servicing method utilizing a network generally available to the  
public, the method comprising:

a plurality of subscribers connected to the network and a single server connected  
to the network for commonly servicing the plurality of subscribers upon signaling,

wherein each of said plurality of subscribers has a registration contract entitling that subscriber to transmit medical images produced by an imaging device located in that subscriber through the network for registering in the single server and/or an access contract entitling that subscriber to receive medical images registered in said single server and transmitted through said network to that subscriber; said method further comprising the steps of:

a subscriber having a registration contract signaling said single server through said network to transmit medical images produced by an imaging device of said subscriber through said network to be registered by said single server after said single server checks and verifies legitimacy of the request for registration of the medical images by that subscriber;

a subscriber having an access contract signaling said single server through said network to transmit medical images registered in said single server through said network to be received by said subscriber after said single server checks and verifies legitimacy of the request for access of the medical images by that subscriber;

compressing and decompressing data size of the medical images by the single server for registration and accessing; and

providing back-up for the medical images in the single server.

***Allowable Subject Matter***

Claims 77 – 87 and 89 – 94 (claim 94 as amended) are allowed over the prior art of record.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shahid Al Alam whose telephone number is (571) 272-4030. The examiner can normally be reached on Monday-Thursday 8:00 A.M.- 4:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Shahid Al Alam  
Primary Examiner  
Art Unit 2162

25 April 2006